

## **REMARKS/ARGUMENTS**

Reconsideration and withdrawal of the rejections of the application are respectfully requested in view of the amendments and remarks herewith, which place the application into condition for allowance. The present amendment is being made to facilitate prosecution of the application.

### **I. STATUS OF THE CLAIMS AND FORMAL MATTERS**

Claims 1-16 and 18-38 are pending. Claim 17 has been canceled without prejudice or disclaimer of subject matter. Claims 1-16 and 18-38 are amended. Support for this amendment is provided throughout the Specification, specifically at pages 25-26 and Figure 7.

No new matter has been introduced. Changes to claims are not made for the purpose of patentability within the meaning of 35 U.S.C. §101, §102, §103, or §112. Rather, these changes are made simply for clarification and to round out the scope of protection to which Applicants are entitled.

The Abstract of this Application is hereby amended.

The Title of this Application is hereby amended.

### **II. OBJECTION**

The Office Action stated that Claim 17 would a substantial duplicate to claim 16 if claim 16 should be allowed.

Claim 17 is hereby canceled. Withdrawal of the objection is respectfully requested.

### III. REJECTIONS UNDER 35 U.S.C. §112, §102(b), AND §103(a)

Claim 4 was rejected under 35 U.S.C. §112, second paragraph, as allegedly being indefinite.

Claims 1, 3, 10 and 12 were rejected under 35 U.S.C. §102(b) as allegedly anticipated by Japanese Patent Application Publication No. 2002-084449 to Okada (hereinafter, merely “Okada”).

Claims 2, 4-9, 11, and 13-38 were rejected under 35 U.S.C. §103(a) as allegedly unpatentable over Okada in view of U.S. Patent No. 5,589,880 to Tsukui (hereinafter, merely “Tsukui”).

### IV. RESPONSE TO REJECTIONS

#### A. Response to Rejections Under 35 U.S.C. §112

Claim 4 is amended, thereby obviating the rejection.

#### B. Response to Rejections Under 35 U.S.C. §103(a)

Claim 1 recites, *inter alia*:

**“wherein an exposure ratio of the relatively long exposure time to the relatively short exposure time is multiplied by the short-time exposure image so that an amount of input light of the long-time exposure image and the short-time exposure image is substantially the same.”** (emphasis added)

As understood by Applicant, Okada relates to an imaging device for picking up two kinds of different exposures and generating one image. Luminance information is calculated for each area. A weighted summing coefficient for two images by each pixel is calculated.

As understood by Applicant, Tsukui relates to a camera using two image pickup devices with different sensitivities. An optical image of an object from the lens system is split in a predetermined ratio of light quantity and applied to first and second image pickup devices as first and second optical images. The dynamic range of a camera utilizing the first and second image pickup devices is increased and a signal from a first one of the first and second image pickup devices is utilized to control an iris and a signal from the second one of the first and second image pickup devices is utilized to control a charge storage time.

Applicant respectfully submits that nothing has been found in Okada and Tsukui, taken alone or in combination, that would teach or suggest the above-identified feature of claim

1. None of the art used as a basis of rejection suggests or teaches “wherein an exposure ratio of the relatively long exposure time to the relatively short exposure time is multiplied by the short-time exposure image so that an amount of input light of the long-time exposure image and the short-time exposure image is substantially the same”, as recited in claim 1 (emphasis added).

Indeed, claim 1 recites multiplying the short-time exposure image with an exposure ratio so that input light of the long-time exposure image and the short-time exposure image is substantially the same. None of the references relied upon by the Office Action teaches or discloses the above-identified feature of claim 1.

Therefore independent claim 1 is patentable.

For reason similar to, or somewhat similar to, those above, claims 10, 23, and 33 are also patentable.

## **V. DEPENDENT CLAIMS**

The other claims in this application are each dependent from one of the independent claims discussed above and are therefore believed patentable for at least the same reasons. Since each dependent claim is also deemed to define an additional aspect of the invention, however, the individual reconsideration of the patentability of each on its own merits is respectfully requested.

Similarly, because Applicant maintains that all claims are allowable for at least the reasons presented hereinabove, in the interests of brevity, this response does not comment on each and every comment made by the Examiner in the Office Action. This should not be taken as acquiescence of the substance of those comments, and Applicant reserves the right to address such comments.

## **CONCLUSION**

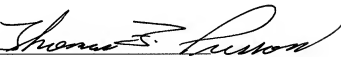
In the event the Examiner disagrees with any of statements appearing above with respect to the disclosure in the cited reference, or references, it is respectfully requested that the Examiner specifically indicate those portions of the reference, or references, providing the basis for a contrary view.

In view of the foregoing amendments and remarks, it is believed that all of the claims in this application are patentable and Applicant respectfully requests early passage to issue of the present application.

Please charge any additional fees that may be needed, and credit any  
overpayment, to our Deposit Account No. 50-0320.

Respectfully submitted,

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